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### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: )  
Jean-Manuel Gomes et al. ) Docket No.: R029 1370  
Serial No: 10/789,792 )  
Filed: February 27, 2004 )  
For: THREE BY FOUR CAN PACKAGE DISPENSING CARTON

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PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission


Application Number	10789,792
Filing Date	February 27, 2004
First Named Inventor	Jean-Manuel Gomes
Art Unit	3727
Examiner Name	
Attorney Docket Number	R029 1370

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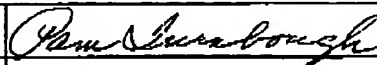
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Firm Name	Womble Carlyle Sandridge & Rice PLLC		
Signature			
Printed name	C. Keith Montgomery		
Date	March 17, 2005	Reg. No.	45,254

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**PATENTS**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: )  
Jean-Manuel Gomes et al. ) Docket No.: R029 1370  
Serial No: 10/789,792 )  
Filed: February 27, 2004 )  
For: **THREE BY FOUR CAN PACKAGE DISPENSING CARTON**

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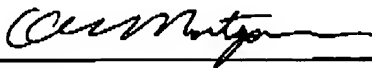
Applicant hereby voluntarily discloses the items listed on the attached Form PTO/SB/08A to the Commissioner for Patents. Pursuant to the Waiver in the Pre-OG Notice dated July 11, 2003, no copies of any items are enclosed.

Applicant further reserves the right to establish the patentability of the claimed invention over any of the listed information should they be applied as references, and/or to prove that some of the cited information may not be prior art, and/or to prove that some of the cited information may not be enabling for the teachings they purport to offer. This statement further should not be construed as a representation that an exhaustive search has been made, or that the information cited herewith is material, or that there does not exist information more material to the examination of the present Application. The Examiner is specifically requested not to rely solely on the information submitted herein. On the contrary, the Examiner is requested to conduct an independent and thorough review of the information, and to form independent opinions as to their significance.

Title: THREE BY FOUR CAN PACKAGE DISPENSING CARTON  
Filed: February 27, 2004  
Information Disclosure Statement

It is respectfully requested that the Examiner initial and return copies of the enclosed PTO/SB/08A and to indicate in the official file wrapper of the above-identified patent application that each item of the cited information has been considered.

Date: 3/17/05

  
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Docket No.: R029 1370

PTO/SB/08A (08-03)

Approved for use through 07/31/2008. OMB 0551-0031

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STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 2

**Complete if Known**

Application Number	10/789,792
Filing Date	February 27, 2004
First Named Inventor	Jean-Manuel Gomes
Art Unit	3727
Examiner Name	
Attorney Docket Number	R029 1370

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 3,356,279	12-05-1967	Root	
		US- 4,396,143	08-02-1983	Killy	
		US- 5,622,309	04-22-1997	Matsuda et al.	
		US- 6,283,293	09-04-2001	Lingamfelter	
		US- 6,484,903	11-26-2002	Spivey et al.	
		US- 6,550,615	04-22-2003	Lingamfelter	
		US- 6,578,736	06-17-2003	Spivey	
		US- 6,669,083	12-30-2003	Bates	
		US- 6,715,639	04-06-2004	Spivey	
		US- 6,789,673	09-14-2004	Lingamfelter	
		US- D459,927 S	07-09-2002	Flowers et al.	
		US- 2002/0029991	03-14-2002	Lingamfelter	
		US- 2002/0070139	06-13-2002	Bates	
		US- 2002/0185499	12-12-2002	Harrelson et al.	
		US- 2003/0141313	07-31-2003	Bates	
		US- 2004/0089575	05-13-2004	Lingamfelter	
		US- 2004/0099558	05-27-2004	Oliff et al.	
		US- 2004/0155098	08-12-2004	Harrelson	
		US- 2004/0188300	09-30-2004	Sutherland	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>2</sup> Number <sup>3</sup> Kind Code <sup>4</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinda Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST-3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST-16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language translation is attached.

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